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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

McGREGOR, et al

Examiner: GESESSE, T.

Serial No.: 08/749,721

Group Art: 2746

Filed: 15 November 1996

Paper No.:

For: MOBILE PHONE WITH INTERNAL
ACCOUNTING

Atty Dkt.: 12765

CERTIFICATE OF MAILING

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d),
PETITION UNDER 37 C.F.R. §1.17(i) and
CERTIFICATE UNDER 37 C.F.R. §1.97(d)(3)

Sir:

Applicant respectfully petitions that this information disclosure statement be considered by the Examiner. The petition fee under 37 C.F.R. §1.17(i) and certificate under §1.97(d)(3) are submitted herewith.

The undersigned attorney of record states that no item of information contained in this disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this information disclosure statement

was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

The following two references were cited by the defendant, US/INTELCOM, INC. in a Civil Action No. C99-5026(CW), brought by Telemac Corporation and pending in the Northern District of California for infringement of U.S. Patent No. 5,577,100, the parent of the subject divisional application:

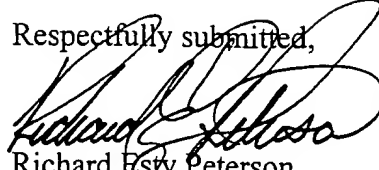
Mincone et al, Patent No. 4,585,904, issued 29 April 1986, discloses a programmable computerized telephone call cost metering device for appraising a user of the cost of a call or calls. The system combines a telephone and computer (see abstract). Although mention is made that a cordless connection to the telephone lines could be made utilizing electromagnetic waves between a hand set and a base station (col. 3, lns. 56-62), the call records and system design do not account for a phone that may roam from zone to zone. The stationary telephone is programmed to contain telephone rate information relevant to the user's telephone exchange and area code number (col. 5, lns. 15-20). Applicants find no disclosure in the Mincone patent of a mobile phone handset based billing algorithm or of systemwide host processor coordination of mobile phones for activation and debit account replenishment.

Loder, Patent No. 5,748,720, issued 5 May 1998, discloses a removable subscriber identification module called a "SIM" for a mobile radio terminal. The SIM holds a record of an amount of prepaid funds and enables access to the services of the radio system. It is suggested a time tariff rate may be pre-programmed into the SIM card (col. 6, lns. 63-64), however, this appears to be a single rate and the apparent solution to the complexities of a roaming SID (col. 1, ln 54 – col. 2, ln. 10) is for charging information to be sent from the network (col. 6, lns. 65-67). Applicants find no disclosure in the Loder patent of a multiple factor

billing algorithm or of systemwide host processor coordination of
mobile phones for activation and debit account replenishment.

Dated: August 15, 2000

Respectfully submitted,



Richard Esry Peterson
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